

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 WILLIS B. ANNIS,

4 Plaintiff

5 v.

6 DOULGAS COUNTY SHERIFFS, et. al.,

7 Defendants
8

Case No.: 3:21-cv-00494-MMD-WGC

**Report & Recommendation of
United States Magistrate Judge**

9 This Report and Recommendation is made to the Honorable Miranda M. Du, Chief
10 United States District Judge. The action was referred to the undersigned Magistrate Judge
11 pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR 1B 1-4.

12 Plaintiff filed an application to proceed *in forma pauperis* (IFP) and motion for injunctive
13 relief. (ECF Nos. 1, 1-1.)

14 On December 3, 2021, the court issued an order advising Plaintiff that he needed to
15 submit his IFP application on the court's form. In addition, the court noted he had not filed a
16 complaint. The court gave Plaintiff 30 days to either file his completed IFP application on the
17 court's form or pay the \$402 filing fee (\$350 filing fee and \$52 administrative fee), and file a
18 complaint. The court cautioned Plaintiff that a failure to do so would result in this action being
19 dismissed. (ECF No. 3.)

20 Since the issuance of that order, Plaintiff has filed: (1) a motion to provide oversight in
21 Nevada State Court Case NV 215017421 (ECF No. 5); (2) a motion to amend and add
22 defendants to injunction (ECF No. 6); (3) a motion to amend information (ECF No. 7); and (4) a
23 motion to amend information and investigate (ECF No. 8). Plaintiff has not filed an IFP

1 application on the court's form and has not filed a complaint. Therefore, it is recommended that
2 this action be dismissed without prejudice, denying the pending motions as moot, and
3 administratively closing this case.

4 **RECOMMENDATION**

5 IT IS HEREBY RECOMMENDED that the District Judge enter an order **DISMISSING**
6 this action **WITHOUT PREJUDICE, DENYING** the pending motions (ECF Nos. 5, 6, 7, 8)
7 **AS MOOT**, and administratively closing this case.

8 The parties should be aware of the following:

9 1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
10 this Report and Recommendation within fourteen days of being served with a copy of the Report
11 and Recommendation. These objections should be titled "Objections to Magistrate Judge's
12 Report and Recommendation" and should be accompanied by points and authorities for
13 consideration by the district judge.

14 2. That this Report and Recommendation is not an appealable order and that any notice of
15 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed
16 until entry of judgment by the district court.

17
18 Dated: January 5, 2022

19 

20 William G. Cobb
21 United States Magistrate Judge
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